

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. ) 2:13-CR-398-APG-(GWF)  
 )  
 MARK ANTHONY NEWTON, )  
 )  
 Defendant. )

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on September 22, 2014, defendant MARK ANTHONY NEWTON pled guilty to Counts One through Three of a Three-Count Criminal Indictment charging him in Count One with Interference with Commerce by Robbery in violation of Title 18, United States Code, Section 1951; in Count Two with Use of a Firearm During and in Relation to a Crime of Violence in violation of Title 18, United States Code, Section 924(c)(1)(A); and in Count Three with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. \_\_.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Indictment and the offenses to which defendant MARK ANTHONY NEWTON pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(c)(1)(A) and Title 18, United States Code, Section 924(d)(1), (2)(C), and 3(A) and Title 28, United States Code, Section 2461(c):

- 1           1. a Jennings Bryco .25 caliber semi-automatic handgun bearing serial number
- 2           233077; and
- 3           2. any and all ammunition
- 4 (all of which constitutes “property”).

5           This Court finds the United States of America is now entitled to, and should, reduce the  
6           aforementioned property to the possession of the United States of America.

7           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
8           United States of America should seize the aforementioned property.

9           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
10          MARK ANTHONY NEWTON in the aforementioned property is forfeited and is vested in the United  
11          States of America and shall be safely held by the United States of America until further order of the  
12          Court.

13          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
14          shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
15          website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
16          time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
17          name and contact information for the government attorney to be served with the petition, pursuant to  
18          Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

19          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity  
20          who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate  
21          the validity of the petitioner’s alleged interest in the property, which petition shall be signed by the  
22          petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and  
23          Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner’s  
24          right, title, or interest in the forfeited property and any additional facts supporting the petitioner’s  
25          petition and the relief sought.

26          ...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
2 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than  
3 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days  
4 after the first day of the publication on the official internet government forfeiture site,  
5 www.forfeiture.gov.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
7 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
8 following address at the time of filing:

9 Michael A. Humphreys  
10 Assistant United States Attorney  
Daniel D. Hollingsworth  
11 Assistant United States Attorney  
Lloyd D. George United States Courthouse  
12 333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
14 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
15 following publication of notice of seizure and intent to administratively forfeit the above-described  
16 property.

17 Dated: September 22, 2014.

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21 UNITED STATES DISTRICT JUDGE  
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